NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the order of the Court.

Signed April 28, 2005

Harlin DeWayne Hale
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	CASE NO. 04-34103-HDH-7
FRANK CORNISH and ROBIN CORNISH	§	
a/k/a ROBIN SKYLES BLAKE	§	CHAPTER 7
DEBTORS	§	
	§	
WELLS FARGO BANK (TEXAS), NA	§	
Its Successors and Assigns	§	
MOVANTS	§	
	§	
vs.	§	
	§	
FRANK CORNISH, ROBIN CORNISH	§	
a/k/a ROBIN SKYLES BLAKE and	§	
ROBERT NEWHOUSE, TRUSTEE	§	

FINDINGS OF FACT AND CONCLUSION OF LAW
FOR PURPOSES OF CLARIFYING PRIOR ORDER

On April 15, 2005 the Court considered Wells Fargo Bank (Texas), NA, its successors and assigns' motion to reopen this bankruptcy to clarify the Court's prior order granting modified lift of stay and its motion for excessive costs. The Court is of the opinion that the Court's previous order granting modified lift of stay (docket number 40)

should be modified and clarified, and that Wells Fargo's motion for excess costs should be denied. It is accordingly,

ORDERED and DECREED that pursuant to the provisions of Federal Rule of Civil Procedure 60(b), the Court's prior order (docket number 40) is modified to provide that the automatic stay imposed by 11 U.S.C. §362, to the extent existent as of September 13, 2004 is modified *nunc pro tunc* to the date of entry of the Court's original order, namely September 13, 2004 to allow Wells Fargo Bank (Texas), NA to proceed without further intervention or supervision of this Court, with all writs, processes and actions necessary to secure its rights with respect to the property described as follows;

> LOT 4, BLOCK 5, STONE LAKES, PHASE ONE, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN CABINET A, PAGES 915 & 916, PLAT RECORDS, TARRANT COUNTY, TEXAS.

Also known as 305 SHEFFIELD DRIVE, SOUTHLAKE,TX, 76092-2882. It is further,

ORDERED and DECREED that the Court's prior order (docket number 40) modifying the automatic stay is modified *nunc pro tunc* to the date of entry of the Court's original order, namely September 13, 2004 to allow Debtors to bring any kind of title action or defense to the claims of Wells Fargo Bank (Texas), NA that they may have. It is further,

ORDERED and DECREED that Wells Fargo Bank (Texas), NA, its successors and assigns motion for excess costs is denied.

###END OF ORDER###

Approved as to Form:
Codilis & Stawiarski, P.C.

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